

1897-063 Chancery Causes: Sarah Turner for & vs. William Turner
Lee Co.

Doss, Duncan, Pennington

CA-Contract Dispute
T-Property

-Deed

To the Hon. Wm. S. Miller, Judge
of the Circuit-Court for the County.

I humbly compliment your
arbitrary action. Stephen Ross and
Sarah Turner, ^{being the benefit of C. S. Ross and R. F. Huntington} would respectfully repre-
sent and show unto your honor.

That your arbitrariness was the owner of
a certain tract or parcel of land
lying & being in the County of Lee
and on the waters of North Fork
and being a part of what is known
as the Turner farm, & which is
more fully described by deed recorded
in the Clerk's office of the County
Court for Lee County in D. B. No. 31.
page 390; and being so possessed
and seized of the said land, your
said arbitrariness sold and conveyed unto
one William Turner all that
certain tract which lies North
of the Main road, consisting of
about 30 acres. in considera-
tion of the sum of \$, of which
the said Turner paid your arbitrariness
\$ and gave his note payable
the 25th day of Nov 1896. for the
sum of \$8.48.00 and though the said
sum long aforesaid has been
due for some time, it has
not been paid. Your arbitrariness will
further represent and show unto
your honor that in the said

made as aforesaid on the day
of 184 for the unpaid pur-
chase price your orotrix reserved,
a venditor's lien. For valuable
consideration your orotrix on
the 25 day of 1845 assigned
the said note of \$90⁰⁰ due as
aforesaid to Stephen Doss;
& your orotrix Stephen Doss
assigned, for valuable considera-
tion the said note to the said
C. S. Duncan & R. H. Mumfeton.
And your orotrix here file said
note as exhibit "A" and ask that
it be taken as part of this bill.
The said conveyance made as aforesaid
to the said Wm. Turner
has never been placed upon
record, & as that account
your complainants can
not make exhibit of the same.

The prayer therefore of your
petitioners is that the said
Wm. Turner be made party
to the said bill of complaint
& that he be required to answer
he swears, but not under oath
that being warned, that he
be required to file with his
said answer the said deed
of conveyance made to him
as aforesaid; and that upon

a hearing the said time be
enforced for the benefit of the
said Duncan & Pennington, and
an order made for the sale
of the said land or enough
thereof to pay the said note of \$
with its interest and the cost
of this suit. And may all
other further & general relief be
granted your compliments
as the nature of their case
may demand & good con-
science require. And
they will ever pray &c.

Pennington Bros.

W. J.

March 16 1897

Pellico Costs

4.83

Tax 1.50

Shelf 50

atdy 5.00

Estimated 5.00

\$16.83

Sold to C. F. Lee
and R. L. Pim-
mington for \$25.00

4/19/97

C.F.P.

4.83

1.50

50

5.00

\$16.83

\$3.42

Costs

16.83

1.25

Comm.

18.08

Bills 20.00

18.08

\$36.92

346

Barok Turner for &c.

vs. 3/ Bill in Law.

7/11/97 Turner. Def.

1897 1st Feb'y rules & paid

7 D. J.
" 2nd Feb'y D. J. Conf'd
Cause set for hearing

\$90⁰⁰

Twelve months after the date
I promise to pay to Lary Lurner
Twenty dollars for purchase
money on land and as to the
payment of same I waive
the benefit of all exemption
laws. this Nov^r 26th 1895.

attest
W^{illiam}^{his} Lurner
m^{an} att^y
enckloftin

I assign the within note
to R L Pennington & T. B. Cunn.
That is fifty dollars
to said Pennington & T. B. Cunn.
and to Pennington.
This the 24th day of Jan'y 1896

Stephen H. Doss

I assign the within note
to Stephen Doss -

Sarah Turner for the Complt.

vs.

Mrs. Turner

Def't.

In Chancery.

This cause came on again this day
to be formerly read therein and the report
of sale filed May 17th 1897, made by Comm.
E. H. Pennington to R. L. Pennington
and C. A. Sureau, which report and
sale are unexcepted to. On con-
sideration of all which and for
reasons appearing to the Court, it
is adjudged, ordered and decreed
That said report and sale be and
are hereby confirmed, and that
said purchasers take and hold
said land free from all the rights,
title and interest of said defend-
ant therein; and it is further ad-
judged ordered and decreed, if
desired by said purchasers, a
writ of possession is hereby awarded,
ad them. And it is further adjudged,
ordered and decreed that E. H. Pen-
nington who is appointed hereby
for the purpose, will make
to said purchasers a deed of
Special warranty to said land,
and he will report his action
to a future day of this term of

the Court; until the coming in of
which report this case - is
continued

South Turner for a

vs. Stone

Wm. Turner

202 p. 574

Enter this

June 8 1897.

W. L. M.

Sary Tuener for &c,

Complainant,


vs: In Chancery.

William Turner,


Defendant.

This cause came on this day to be heard upon the bill of the complainant and exhibits filed therewith, and it appearing to the court that process has been served on the defendatnt for more than 15 days prior to the 1st day of this term of the court, and he failing to appear, plead or answer, upon motion of counsel for the complainant her said bill is taken for confessed; and for reasons appearing to the court it is adjudged ordered and decreed that C.T.Duncan and R.L.Pennington recover of the said defendant the sum of \$90.00 with interest thereon from the 25th day of November, 1896, and the cost of this suit, and that E.W.Pennig^{ton} ton, who is hereby appointed a special commissioner for the purpose, will after having advertised the time terms and place of sale prodeed to sell at public outcry the land in the bill and proceedings mentioned on 12 months time, except a sum sufficient to pay the cost and commissions, which he will require to be paid down, and for the deferred payment take bonds payable to himself with good personal security; and *he will execute bond in sum of \$500.00 before clerk of this court to the law require, and the* ~~same~~ said Pennington will report his action to the court and the cause is continued.

Sarah Turner for e.

vs.  Decree

of Mr. Turner.



En. C. O. B. p. 533.

Ever this

Mon. 5. 97

M. J. M.

Sarah Turner for etc. Complt.

vs.

In Chancery.

Wm. Turner.

Deft.

To the Hon. W. T. Miller, judge of the circuit court for Lee County:-

Pursuant to an order entered in this cause on the 5th day of March, 1897, your undersigned commissioner, after advertising the time, terms and place of sale for more than thirty days at the front door of the court house of Lee County, at the post office in Pennington Gap and in the "Pocket" country, (said post office being in the neighborhood of said land), on Monday, April, 19th., 1897, that day being a court day, in the presence of a large crowd of people, at the front door of the court house, he offered the land in the bill mention^{ed} for sale at public outcry, on the terms mentioned in said order, and after trying said sale for a good long time, your commissioner knocked down to said R. L. Pennington and G. T. Duncan the entire land mentioned in said complainants bill for the sum of twenty-five dollars, they being the highest ~~and~~ ^{on the same} and best bidders. The sale made to said Duncan and Pennington included all the land mentioned in the de~~ed~~^d of S. A. Doss and wife to Sarah Turner, and which lies on the northern side of the public road that runs through the old Turner farm. (See deed book No. 31, p. 390). Said purchasers have not paid to your commissioner any thing as yet, but he understands, that they have settled the matter of costs with the persons to whom it was due. This land is very poor, most of it mountain, stripped of all its valuable timbers; so it is practically worthless. He recommends a confirmation of the sale.

All which is respectfully submitted. This April, 28th., 1897.

..... *E. H. Pennington*

Special Commissioner.

Sarah Turner for

vs. } Report of
Sale

H. Turner

Filed May 17th 1897

A. B. Munsey Clerk

Sarah Turner for & Campbell
vs
Thos Turner Deft. } In Chan.

To the Hon. W. J. Miller Judge
of the Circuit Court for Sec. Co.

Your undersigned who was
on June 8th 1897 appointed a spe-
cial Commissioner for the purpose of mak-
ing R. L. Huntington and C. J. Lumeau
account to the land in said cause
mentioned, he goes leave to report,
that he has this day performed
that duty, and here files his deed
for the inspection and consideration
of the Court.

After paying the Costs of said
suit out of the purchase price
of said land on day of sale,
April 29th 1897, and after ap-
plying the residue of the purchase
price of said land after the pay-
ment of Costs, there was on said
day due said R. L. Huntington and
C. J. Lumeau assignees of said
Sarah Turner from Thos Turner \$84⁰⁰.
All which are submitted, This June
10th 1897.

E. H. Huntington
Commr.

South Turner for the
Report of
SEED

Wm Turner

Filed June 10th 1897


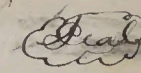
L B Munsey Clerk

~~Enter this~~

~~June 1897~~

This deed of conveyance made
and entered in to this the 10 day of
June 1895 Between ~~Louisa~~ Doss and
Stephen A Doss of the County of Lee State
of Va party of the first part and
Sarah Turner of Harlan Co Kentucky
party of the second part. Witnesseth that
said party of the first part for and
in consideration of the sum of \$8000 dollars
to them in hand paid the receipt Whereof
is hereby acknowledged do hereby sell
& convey a certain tract or Parcel of land
lying and being in the County of Lee
& State of Virginia lying and the North
part of panels river more or less
part of the Chadwell B Turner
tract of land Beginning at Jans
Perrington NE Corner South of the road
thence with William Price line to the
river thence with the river as it
meanders East to a Water Birch
an Euath madison Corner thence
North East to the said madison line
to J D Perrington thence with said
Perrington line to the Beginning the
Bounds of this said Subst Which
ly north of the road also further Bound
ed & described as follows

To next Beginning at Enort madison
North West Corner thence with the
top of Stone mountain thence with the top
of the Stone mountain East to Poulaw
middle line thence Wilke said middle
line to the main road thence with the
main road to the Beginning to have
and to hold said Subscribed tract
or parcel of land together with the
appertenance Every part thereof to
himself and his forever is Witness
Whereof we have ~~Subscribed~~
Subscribed our names & affixed our seals
We further more Warrant and defend
all its titles & claims that may be
set up against the same

Stephen A. Doss 
Louanne Doss 

State of Virginia.

County of Lee to witt.

I W. K. Hopkins a Notary Public in and
for the county of Lee in the State of
Virginia do certify that Stephen A. Doss
and Louanne Doss whose names are signed to
the within writing bearing date on the 10 day of June
1896 have acknowledged the same before me in
my county of Lee. Given under my hand the 10
day of June 1896. W. K. Hopkins N. P.

Virginia Lee County Court;

In the office of the Clerk of said County,
the 11th day of June 1895, this deed was presented and
together with the certificate thereto annexed
admitted to record.

Filed: J. V. Richmond Clerk.

Stephen A. Goss wife
to { deed of conveyance
Jary Turner
Deposited in
M. J. B. Book
31. Page 390

C 125-
J 1.00
\$ 2.25 Paid -

Ex

Filed for record
June 14th 1895.
J. V. Richmond Clerk